

JUL 30 2010

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ELWIN FREDERICK STRANGE,)
Plaintiff,) Civil Action No. 7:10-cv-0151
)
v.)
)
TERRY O'BRIEN, ET AL.,)
Defendant.) By: Hon. Glen E. Conrad
) Chief United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that plaintiff's claims under Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and his claims under the Federal Tort Claims Act shall be and hereby are **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1); his claims under state law are **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1367(c); and this action is stricken from the active docket of the court with the provision that plaintiff may move for reinstatement of his claims under the FTCA within thirty (30) days, provided that he submits appropriate documentation demonstrating that he has pursued a tort claim to the appropriate agency as required for filing such claims.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and defendant.

ENTER: This 30^b day of July, 2010.

Glen Conrad

Chief United States District Judge